

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

DEMETRIUS HINES

Criminal Action No.

1:22-cr-00341-TCB

MOTION FOR FINAL ORDER OF FORFEITURE

COMES NOW the United States of America, pursuant to Rule 32.2(c) of the Federal Rules of Criminal Procedure and moves the Court for a final order of forfeiture. In support thereof, the United States shows the following:

Defendant Demetrius Hines pleaded guilty to the Information, pursuant to a written plea agreement, in which he agreed to, among other things, forfeit certain property to the United States. On November 30, 2022, this Court entered the Consent Preliminary Order of Forfeiture, forfeiting the Defendant's interest in the following property to the United States pursuant to 18 U.S.C. § 982(a)(2):

a. MONEY JUDGMENT: A personal forfeiture money judgment in the amount of \$ 9,441,739.47, which represents the proceeds that the Defendant obtained as a result of the offense in the Information.

b. FUNDS:

i. \$200,077.51 seized from the Navy Federal Credit Union account with account number ending in 2924 on August 12, 2022;

- ii. \$202,757.05 seized from the Navy Federal Credit Union account with account number ending in 7308 on August 12, 2022;
- iii. \$210,389.94 seized from the Navy Federal Credit Union account with account number ending in 7761 on August 12, 2022;
- iv. \$221.79 seized from the Wells Fargo Bank NA account with account number ending in 1402 on August 9, 2022; and
- v. \$68,546.29 seized from the Wells Fargo Bank NA account with account number ending in 6366 on August 9, 2022.

(Doc. 8).¹

Once a preliminary order of forfeiture has been entered, the United States is required to publish notice of the preliminary order of forfeiture, and of its intent to dispose of the property, and “may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the” subject property “as a substitute for published notice as to those persons so notified.” *See* 21 U.S.C. § 853(n)(1) and 18 U.S.C. § 982(b)(1). Unless excused, anyone, other than a defendant, claiming an interest in the property must file a petition with the Court requesting a hearing to adjudicate that interest. *See* 21 U.S.C. § 853(n)(2) and 18

¹ The Consent Preliminary Order of Forfeiture also listed a 2013 Ford Shelby Mustang, a 2021 Ford F-150, a Rolex Day-Date watch, a diamond bracelet, and a diamond necklace. (Doc. 8). On February 7, 2023, the United States Secret Service issued a Proclamation of Forfeiture regarding these assets. The Consent Preliminary Order of Forfeiture also listed a Suzuki GSX1300 Motorcycle. *Id.* The United States is no longer pursuing judicial forfeiture as to the Suzuki GSX1300 Motorcycle.

U.S.C. § 982(b)(1). Such petition must be filed “within thirty days of the final publication of notice or his receipt of notice...whichever is earlier.” *Id.*

Here, the United States published notice of the preliminary order of forfeiture, and of its intent to dispose of the property, on the official government internet site forfeiture.gov for at least thirty consecutive days beginning January 12, 2024, and ending on February 10, 2024. (Doc. 19). The United States did not provide direct written notice to any other person because it was not aware of any other person who has alleged an ownership interest in the property to whom direct written notice may have been provided.

No one has filed a petition in this criminal ancillary proceeding, and the time to do so has expired. Pursuant to 21 U.S.C. § 853(n)(7), once all third-party petitions have been disposed of or if no timely petitions have been filed, “the United States shall have clear title to property that is the subject of the order of forfeiture and may warrant good title to any subsequent purchaser or transferee.” Accordingly, the property should be forfeited to the United States pursuant to Fed. R. Crim. P. 32.2(c)(2) and 18 U.S.C. § 982(a)(2).

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WHEREFORE, the United States respectfully requests that this Court enter a final order of forfeiture allowing the United States to dispose of the property according to law.

Respectfully submitted,

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